

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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|--------------------------------|---|-----------------------------------|
| BENJAMIN WITTES, |) | Civil Action No. 1:17-cv-01627-RC |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| U.S. DEPARTMENT OF JUSTICE and |) | |
| OFFICE OF MANAGEMENT AND |) | |
| BUDGET, |) | |
| |) | |
| Defendants. |) | |
| |) | |

JOINT STATUS REPORT

Plaintiff Benjamin Wittes and Defendants United States Department of Justice (“DOJ”) and the Office of Management and Budget (“OMB”) (collectively, “Defendants”) respectfully submit this Joint Status Report pursuant to the Court’s Order of March 4, 2019. The parties incorporate by reference their prior Joint Status Reports (ECF Nos. 8, 10-12, 16-19, 21-22, and 24-25). The parties report as follows:

1. On August 11, 2017, Plaintiff initiated this action under the Freedom of Information Act (“FOIA”) against OMB and DOJ. The Complaint alleges that this action involves FOIA requests dated April 14, 2017, and submitted to, in relevant part, DOJ’s Office of Information Policy (“OIP”), DOJ’s National Security Division (“NSD”), and OMB.
2. OMB completed its processing of Plaintiff’s request on February 28, 2018. OMB located no records responsive to Plaintiff’s request.
3. NSD completed its processing of Plaintiff’s request and made a release of responsive, non-exempt records on February 7, 2018.

4. OIP conducted a keyword-based search for records and released non-exempt portions of responsive records in two releases, on March 1, 2018 and April 4, 2018.

5. On June 12, 2018, Plaintiff and OIP reached an agreement to resolve certain issues in dispute in this litigation, pursuant to which, among other things, OIP agreed to conduct a narrowed search for certain records.

6. OIP completed the agreed-upon narrow search on July 24, 2018.

7. On October 16, 2018, OIP made a supplemental release of non-exempt portions of responsive records.

8. The parties have been actively negotiating regarding Plaintiff's request for attorney's fees in an attempt to resolve the dispute without the need for further motion practice and require additional time for those negotiations to continue.

9. Accordingly, the parties respectfully request that they file another Joint Status Report on or before May 6, 2019.

Dated: April 4, 2019

/s/ Laurence Schwartztol

JUSTIN FLORENCE (DC Bar No. 988953)
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Respectfully submitted,

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